IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

Tr.P(C).No. 29 of 2006()

OP.1463/2005 of FAMILY COURT,ERNAKULAM
.....

PETITIONER

K.SHEEBA, AGED 33 YEARS,
D/O.KOCHUMATHAN, THARAYIL PADEETTATHIL VEETTIL,
PALLICKAL NADUVILE MURI, BHARANIKAVU VILLAGE.

BY ADV. SRI.M.A.ABDUL HAKHIM
SRI.JAGAN GEORGE

RESPONDENT:

N.J.MATHEW, AGED 42 YEARS,
NADUMPARAMBIL VEETTIL, KODAVOOR P.O.,
MUVATTUPUZHA, ERNAKULAM DISTRICT.

BY ADV. SRI.MATHEWS K.PHILIP

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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Tr.P(C).No.29 of 2006

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Dated this the 25th day of September, 2007.

JUDGMENT

This petition is filed to transfer O.P.No.1463 of 2005 filed by the wife. O.P.No.1463 of 2007 is for restitution of conjugal rights, O.P.No.22 of 2006 filed by the wife is for divorce and M.C.No.8 of 2006 also filed by the wife is for maintenance. It is submitted that on account of the financial constrains, she had been forced to file maintenance case and she is making her livelihood by selling milk of their only cow. She has to attend the child also and there is nobody to look after or take care of her to conduct the case.

2. Though the respondent is served and he had entered appearance through counsel, no counter is filed to controvert the averments in the Transfer Petition. Further the ground stated appears to be true and genuine and therefore the Transfer petition is allowed and O.P.No.1463 of 2005 pending before the

Family Court, Ernakulam is transferred to the Family Court, Alappuzha. Since the respondent has not been available for hearing before effecting transfer, the Family Court, Ernakulam should intimate the counsel appearing for the respondent herein.

M.N.Krishnan,
Judge.

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